

AMENDMENTS TO THE CLAIMS

1. (Previously Presented) A composition comprising superfine particles of a  $\beta$ -glucan derived from a water extract of a mushroom, wherein the superfine particles have an average particle diameter of 10  $\mu\text{m}$  or less, as determined in the form of a dispersion in water.

2. – 11. (Canceled)

12. (Previously Presented) The composition according to claim 1, wherein the superfine particles have an average particle diameter of 1  $\mu\text{m}$  or less.

13. (Previously Presented) The composition according to claim 1, wherein the superfine particles have an average particle diameter of 0.01 to 1  $\mu\text{m}$ .

14. (Previously Presented) The composition according to claim 1, wherein the superfine particles have an average particle diameter of 10  $\mu\text{m}$  or less and wherein the superfine particles are obtained by mixing a dispersant with an aqueous solution containing said  $\beta$ -glucan derived from said water extract of a mushroom.

15. (Original) The composition according to claim 14, wherein the superfine particles have an average particle diameter of 1  $\mu\text{m}$  or less and wherein the superfine particles are obtained by further fine pulverizing treatment.

16. (Previously Presented) The composition according to claim 14, wherein the aqueous solution contains said  $\beta$ -glucan derived from said water extract of a mushroom, which is obtained by filtering a water extract of a mushroom or a hot-water extract of a mushroom.

17. (Original) The composition according to claim 16, wherein the extract contains aggregates obtained by filtering a water extract of a mushroom or a hot-water extract of a mushroom and then concentrating and/or cooling the filtrate.

18. (Canceled)

19. (Original) The composition according to claim 14, wherein the dispersant is an emulsifier.

20. (Original) The composition according to claim 19, wherein the emulsifier is lecithin.

21. (Original) The composition according to claim 1, further comprising a dispersant.

22. (Previously Presented) The composition according to claim 21, wherein the dispersant is mixed with an aqueous solution containing said water extract of a mushroom such that the ratio by weight of the dispersant to the whole sugar contained in the aqueous solution is 100 at most.

23. (Original) The composition according to claim 21, wherein the dispersant is an emulsifier.

24. (Original) The composition according to claim 23, wherein the emulsifier is lecithin.

25. (Original) The composition according to claim 1, wherein the superfine particles are in the form of micelles.

26. (Original) The composition according to claim 1, further comprising a pharmaceutically acceptable carrier or excipient.

27. (Original) An immune activator or an immune regulator comprising the composition described in claim 1.

28. (Original) An agent selected from the group consisting of an antitumor agent, an anti-infective agent, an antiviral agent, an anti-autoimmune disease agent, an anti-diabetes agent, an anti-allergy agent, an a pharmaceutical preparation for digestive organ diseases, a therapeutic agent for irritable bowel syndrome, a therapeutic agent for inflammatory bowel

disease, a therapeutic agent for constipation, and a therapeutic agent for diarrhea, wherein said agent comprises the composition described in claim 1.

29. (Original) A food or drink comprising the composition described in claim 1.

30. (Original) The food or drink according to claim 29, which comprises the superfine particles of the composition are in an amount of 0.01 to 80% by weight based on the whole sugar.

31. (Original) A superfine particle-containing composition comprising an aqueous solution of the composition described in claim 1 dispersed therein.

32. (Original) A pharmaceutical composition comprising the superfine particle-containing composition described in claim 31 and further comprising a pharmaceutically acceptable carrier or excipient.

33. (Original) A food or drink comprising the superfine particle-containing composition described in claim 31.

34. (Original) The food or drink according to claim 33, which comprises the superfine particle-containing composition in an amount of 0.05 to 5% by weight based on the whole sugar.

35. (Original) The superfine particle-containing composition according to claim 31, which comprises 1 to 20000 mg sugar and 1 to 20000 mg dispersant every 100 g of the composition.

36. (Currently Amended) A process for producing superfine particles comprising superfine pulverizing a  $\beta$ -glucan derived from a water extract of a mushroom, wherein the superfine particles have an average particle diameter of 10  $\mu$ m or less, as determined in the form of a dispersion in water.

37. (Canceled)

38. (Previously Presented) The process according to claim 36, wherein said superfine pulverizing includes preparing particles having an average particle diameter of 10  $\mu\text{m}$  or less by mixing a dispersant with an aqueous solution containing said  $\beta$ -glucan derived from said water extract of a mushroom.

39. (Previously Presented) The process according to claim 38, wherein said water extract of a mushroom is obtained by filtering a water extract of a mushroom or hot-water extract of a mushroom.

40. (Original) The process according to claim 36, wherein said superfine pulverizing includes preparing particles having an average particle diameter of 1  $\mu\text{m}$  or less.

41. (Original) The process according to claim 40, wherein said preparing particles having an average particle diameter of 1  $\mu\text{m}$  or less comprising treating the particles with a high-pressure emulsifier.

42. (Currently Amended) A process for producing a composition containing superfine particles comprising superfine pulverizing a  $\beta$ -glucan derived from a water extract of a mushroom, wherein the superfine particles have an average particle diameter of 10  $\mu\text{m}$  or less, as determined in the form of a dispersion in water.

43. (Previously Presented) The process according to claim 42, wherein said superfine pulverizing includes preparing particles having an average particle diameter of 10  $\mu\text{m}$  or less by mixing a dispersant with an aqueous solution containing a  $\beta$ -glucan derived from a water extract of a mushroom.

44. (Previously Presented) The process according to claim 43, wherein said water extract of a mushroom is obtained by filtering a water extract of a mushroom or hot-water extract of a mushroom.

45. (Original) The process according to claim 42, wherein said superfine pulverizing includes preparing particles having an average particle diameter of 1  $\mu\text{m}$  or less.

46. (Original) The process according to claim 45, wherein said preparing particles having an average particle diameter of 1  $\mu\text{m}$  or less comprising treating the particles with a high-pressure emulsifier.

47. (Canceled)

48. (Original) A method of activating or regulating immunity comprising administering to a subject in need thereof a composition described in claim 1.

49. (Original) The method according to claim 48, wherein the subject in need thereof has a condition selected from the group consisting of a tumor, an infection, a viral infection, an autoimmune disease, diabetes, an allergy, a digestive organ disease, irritable bowel syndrome, inflammatory bowel disease, constipation, and diarrhea.

50. (Original) The method according to claim 48, wherein the composition further comprises a pharmaceutically acceptable carrier or excipient.

51. (Original) The method according to claim 48, wherein the composition is admixed with a food and drink prior to administration to said subject in need thereof.

52. (Previously Presented) The composition according to claim 1, wherein the superfine particles have an average particle diameter of 1  $\mu\text{m}$  or less.

53. (Previously Presented) The composition according to claim 1, wherein the superfine particles have an average particle diameter of 0.01 to 1  $\mu\text{m}$ .

54. – 74. (Canceled)

75. (Previously Presented) A method of activating or regulating immunity comprising administering to a subject in need thereof a composition described in claim 1.

76. (Previously Presented) The method according to claim 75, wherein the subject in need thereof has a condition selected from the group consisting of a tumor, an infection, a viral infection, an autoimmune disease, diabetes, an allergy, a digestive organ disease, irritable bowel syndrome, inflammatory bowel disease, constipation, and diarrhea.

77. (Previously Presented) The method according to claim 75, wherein the composition further comprises a pharmaceutically acceptable carrier or excipient.

78. (Previously Presented) The method according to claim 75, wherein the composition is admixed with a food and drink prior to administration to said subject in need thereof.

79. – 90. (Canceled)

SUPPORT FOR THE AMENDMENTS

Claims 2-11, 18, 37, 47, 54-74, and 79-90 were previously canceled.

Claims 36 and 42 have been amended.

Support for the amendment of Claims 36 and 42 is provided by, at least, page 5, lines 16-22 of the specification.

No new matter has been added by the present amendment.